

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

JEAN LEE

Plaintiff

vs.

CASE NUMBER: 5:08-CV-348 (NPM/ATB)

ROBERT A. DURR

Defendant

ROBERT A. DURR

Third Party Plaintiff

vs.

LIBERTY INSURANCE UNDERWRITERS, INC.

Third Party Defendant

Decision by Court. This action came to hearing before the Court.
The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That Robert A. Durr's Motion to Dismiss the Complaint is hereby GRANTED, further ordered that Robert A. Durr's Third-Party Complaint against Liberty Insurance Underwriters, Inc., is dismissed for lack of subject matter jurisdiction. Further Liberty's Motion for Summary Judgment is DENIED AS MOOT. This action is closed.

All of the above pursuant to the order of the Honorable Judge Neal P. McCurn, dated the 23rd day of March, 2011.

DATED: March 24, 2011


Clerk of Court

s/

By: Joanne Bleskoski, Deputy Clerk